

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

KEITH FISCHER, MICHAEL O’SULLIVAN,
JOHN MOESER, LOUIS PIA, THOMAS
BARDEN, CONSTANCE MANGAN, and
CHARISE JONES, individually and on behalf of
all others similarly situated,

Plaintiffs,

v.

GOVERNMENT EMPLOYEES INSURANCE
COMPANY,

Defendant.

Case No. 2:23-CV-02848 (GRB) (ARL)

**[PROPOSED] JOINT STIPULATION TO
EXTEND CLASS CERTIFICATION
BRIEFING DEADLINES**

Plaintiffs Keith Fischer, Michael O’Sullivan, John Moeser, Louis Pia, Thomas Barden, Constance Mangan, and Charise Jones (collectively, “Plaintiffs”), and Defendant Government Employees Insurance Company (“Defendant”), by and through their attorneys of record, agree and stipulate as follows:

WHEREAS, the parties’ Amended Pre-Trial Scheduling Order and Stipulation entered by the Court, *see* ECF Nos. 73 & 74, and the Court’s recent Minute Order granting the parties’ extension request established deadlines to brief Plaintiffs’ anticipated motion for class certification, *see* Jan. 13, 2025 Min. Order;

WHEREAS, the parties have conferred and agree that good cause exists to grant a 14-day extension as to the class certification briefing deadlines because of the depositions taken by Defendant of Opt-In Plaintiffs, per their availability, and additional documents produced by Defendant;

NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties, through their respective counsel, that:

1. The briefing deadlines for Plaintiffs’ anticipated motion for class certification are extended as follows, with all briefing to be filed by Plaintiffs according to the Court’s “bundling rule” on the date of the last submission:

a. Plaintiffs’ motion: extended from February 26, 2025 to March 12, 2025;

- b. Defendant's opposition: extended from March 28, 2025 to April 11, 2025;
 - c. Plaintiffs' reply: extended from April 18, 2025 to May 2, 2025;
2. The deadline for dispositive motions, if class certification motion not filed: extended from February 26, 2025 to March 26, 2025; and
3. All other deadlines in the parties' Amended Pre-Trial Scheduling Order, *see* ECF No. 73, which was approved and entered by the Court, *see* ECF No. 74, remain unchanged.

Dated: New York, New York
January 28, 2025

By:

/s/ Michael J. Scimone

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*Attorneys for Plaintiffs and the Putative
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SO ORDERED:

Hon. Steven Tiscione
United States Magistrate Judge

/s/ Gerald L. Maatman, Jr.

Gerald L. Maatman, Jr.

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